## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF GEORGIA ATLANTA DIVISION

NICHOLAS MAZZA,

MOTION TO VACATE

28 U.S.C. § 2255

Movant,

V.

:

CIVIL ACTION NO. 1:18-CV-0423-LMM-JFK

UNITED STATES OF AMERICA,

CRIMINAL NO.

1:14-CR-0446-LMM-JFK-1

Respondent.

## **ORDER**

This matter is before the Court on the Magistrate Judge's Report and Recommendation ("R&R") [63]. No objections have been filed in response to the R&R. Therefore, in accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the Court has reviewed the R&R for clear error and finds none. Accordingly, the Court **ADOPTS** the R&R as the opinion of the Court. Movant's Motion to Vacate [54] is **DENIED** and **DISMISSED** as untimely, and a certificate of appealability is **DENIED**.

IT IS SO ORDERED this 9th day of August, 2018.

Leigh Martin May

**United States District Judge**